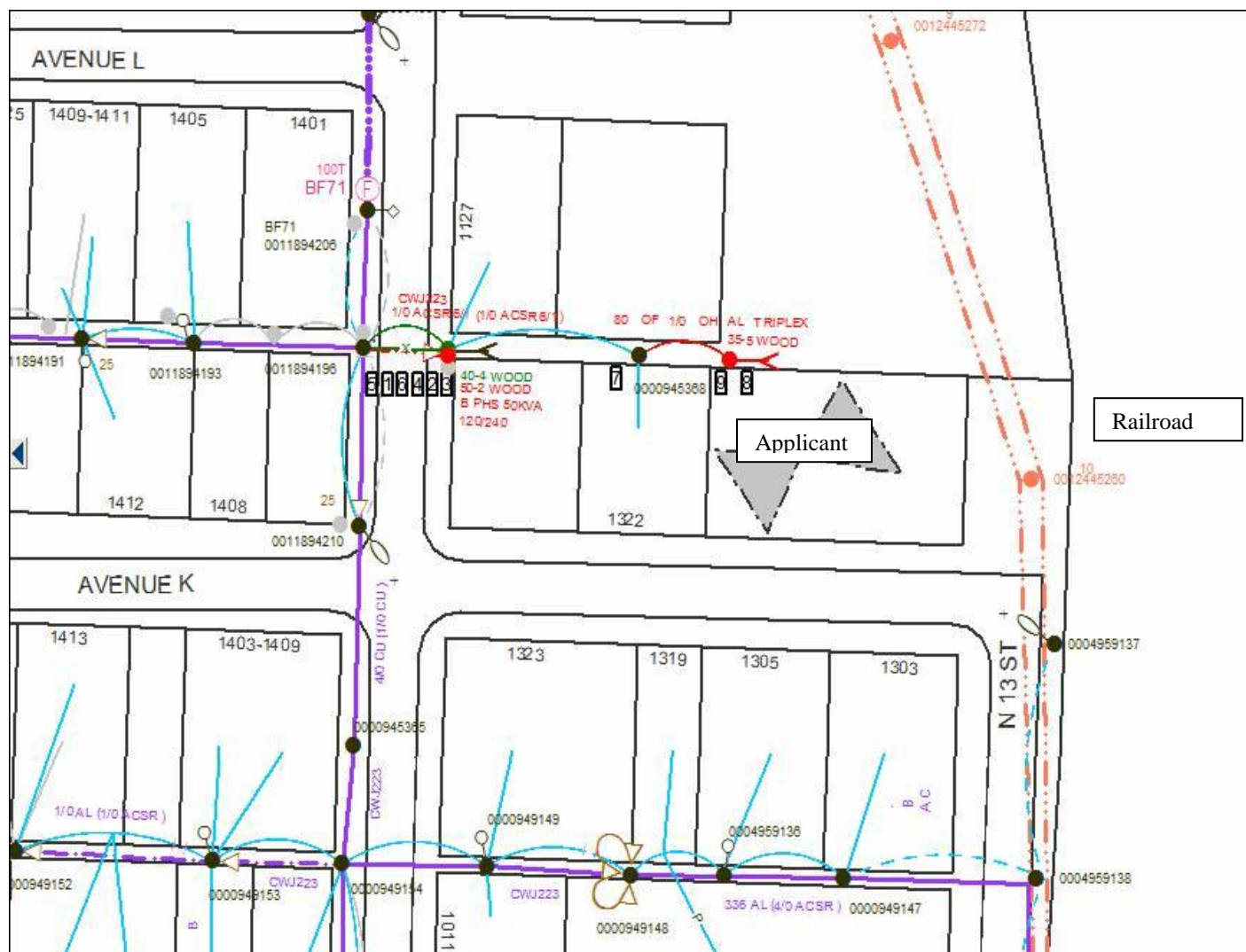


## City Planning Commission

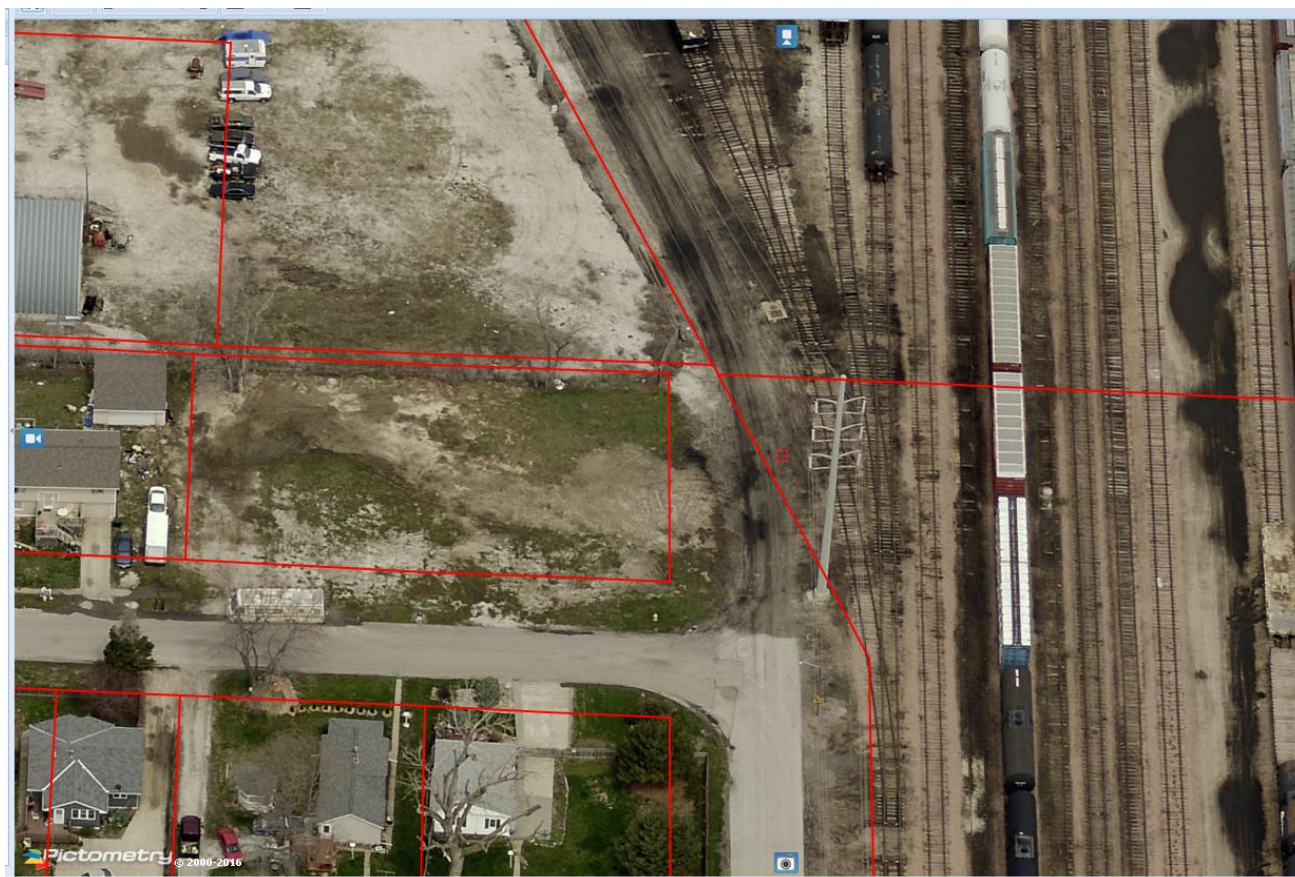
Department: Community Development  Case #SAV-16-004  Applicant: Tyler and Nicole Brunow 139 Brentwood Heights Council Bluffs, IA 51503	Resolution of Intent No. _____  Resolution to Dispose No. _____	Planning Commission: 06/14/16
<b>Subject/Title</b> Request of Tyler and Nicole Brunow to vacate that portion of North 13 <sup>th</sup> Street lying north of the North line of Avenue K and abutting Lot 4, Block 1 and Lot 1, Block 2, Potter and Cobb's Addition.		
<b>Background</b> Tyler and Nicole Brunow are requesting vacation of the above described right-of-way so they can purchase their portion and combine it with their property abutting on the west, described as Lots 1 through 4, Block 2, Potter and Cobb's Addition. They are constructing a commercial building on site and would like to use the west 1/2 of the right-of-way as additional yard space.  This portion of right-of-way is open but not improved or maintained by the City. It is 66 feet wide and runs north from the north line of Avenue K for 101 feet where it dead-ends into railroad owned property.  MidAmerican Energy has two overhead high voltage transmission lines within this portion of right-of-way as shown on the attached illustration. These facilities provide service to a large number of MEC customers. MidAmerican needs to be able to access the area without issue to operate and maintain the lines. They prefer that the right-of-way not be vacated. If MEC crews needed access to the line on what could be private property it could cause increased delays in restoring service to a great number of customers.  No other objections have been received from any City Department or public utility.  Only two property owners abut the subject piece North 13 <sup>th</sup> Street. The applicants have agreed to purchase their portion of right-of-way, if vacated. The Chicago Central Pacific Railroad own the property abutting on the east and north. There has been no reply from the railroad regarding the vacation request.		
<b>Comments</b> 1. This right-of-way is not needed by the City. It is open, but not improved. 2. The applicants owns the property abutting the west side of this portion of North 14 <sup>th</sup> Street. If vacated, their half of the right-of-way will be incorporated into their property. No reply has been received from the railroad. 3. Vacating this right-of-way will eliminate a dead-end r.o.w. 4. MidAmerican Energy needs to maintain access to existing facilities located within this r.o.w. as explained above. If the right-of-way is vacated, it is reasonable to assume the applicant would enclose area with a fence which could cut off access to these utilities. For this reason, vacating this portion of North 13 <sup>th</sup> Street is against City policy.		
<b>Recommendation</b> The Community Development Department recommends denial of the request to vacate that portion of North 13 <sup>th</sup> Street lying north of the North line of Avenue K and abutting Lot 4, Block 1 and Lot 1, Block 2, Potter and Cobb's Addition because it would be against City policy.		
<b>Attachments:</b> Illustration showing existing MEC facilities, picture and aerial view of the right-of-way and map showing location of request. <b>Prepared By:</b> Rebecca Sall, Assistant Planner, Community Development Department		



EXISTING MIDAMERICAN ENERGY FACILITIES

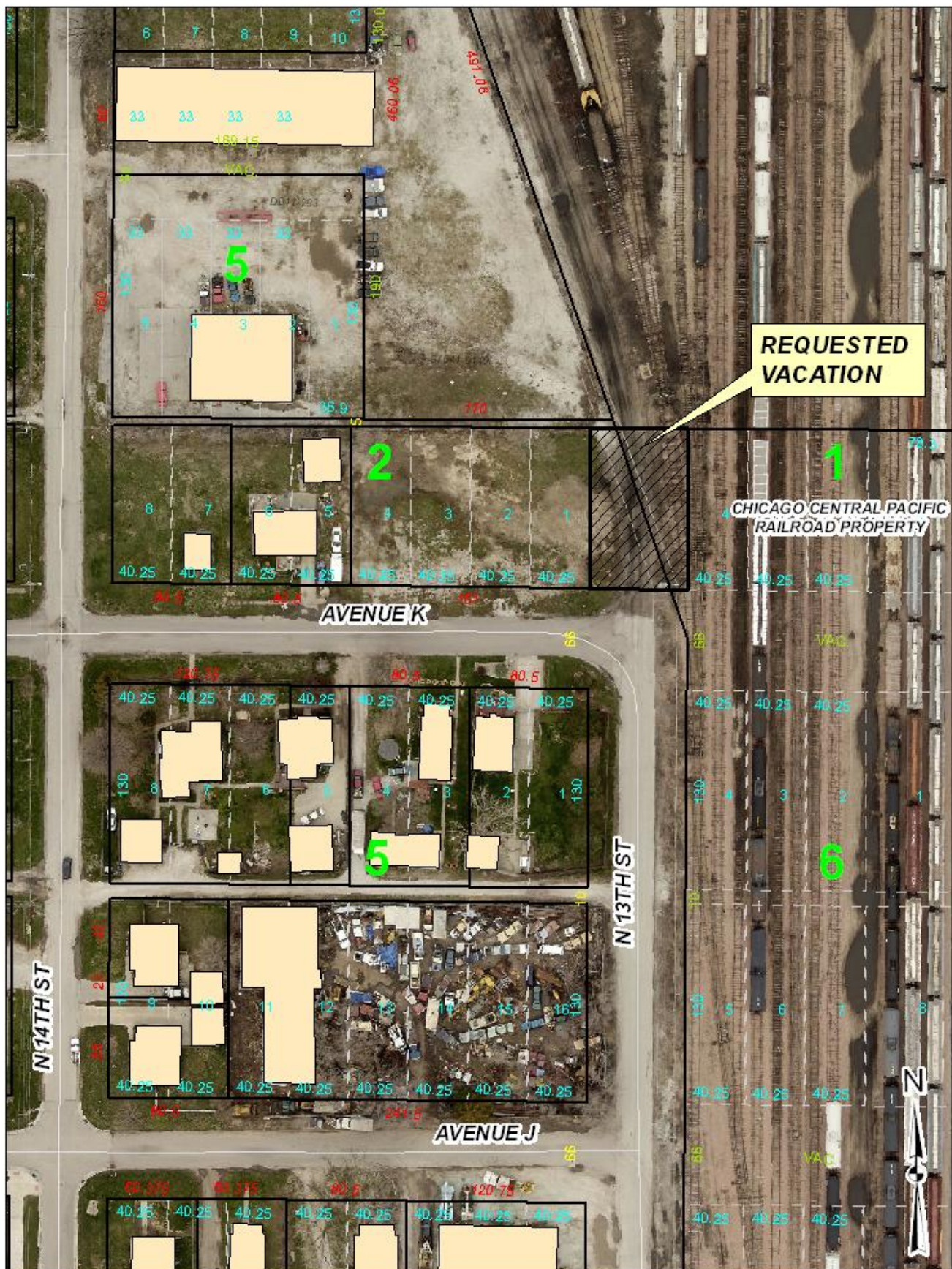


Looking North from North 13<sup>th</sup> Street



Aerial view of existing facilities.





CASE #SAV-16-004